

REMARKS

In the June 15, 2005 Office Action, the Examiner noted that claims 16-29 were pending in the application and rejected claims 16-29 under 35 USC § 102(b) as anticipated by U.S. Patent 4,553,206 to Smutek et al. (Reference A in the November 8, 2004 Office Action). Claims 16, 22, 28 and 29 have been canceled and claims 30-33 have been added. Thus, 17-21, 23-27 and 30-33 remain in the case. The Examiner's rejections are traversed below.

The undersigned wishes to thank the Examiner for the productive Examiner Interview held November 10, 2005. Claim 16 has been canceled and replaced with new claim 30 reciting the limitations discussed at the Examiner Interview. The other independent claims, 22, 28 and 29, have been replaced by new claims 31-33 reciting limitations having wording similar to what was discussed during the Examiner Interview with respect to claim 30.

As discussed during the Examiner Interview, the present invention differs from Smutek et al. by "determining an index from at least one parameter of a process to at least one of transform and convert an original digital image, the at least one parameter determining how the original digital image is to be modified to form a modified digital image" (claim 31, lines 3-5 and claim 33, lines 2-4) and then using the index to determine "an address of the modified digital image" (claim 31, line 6) or in "accessing the modified digital image by reference to the index" (claim 33, lines 4-5). Although Smutek et al. stores both an index and information regarding how a file has been compressed, there is no suggestion in Smutek et al. that the index is generated "based on the at least one parameter" (claim 30, lines 6-7) or using a "predetermined process having at least one parameter which determines the index and how the original digital image is modified to obtain the modified digital image" (claim 32, last two lines).

Claims 31 and 33 include a description of how the modified images are created and stored. As illustrated in Fig. 1 of the application, "if the modified digital image is not included in the pre-stored modified images" (claims 31 and 33, last two lines), the operations of "generating and storing the modified digital image from the original digital image according to the process" (claim 31, lines 10-11 and claim 33, lines 6-7) are performed.

For the above reasons and the reasons discussed during the November 10, 2005 Examiner Interview, it is submitted that the new independent claims and therefore, all of the claims, patentably distinguish over Smutek et al.

Summary

It is submitted that Smutek et al. does not teach or suggest the features of the present claimed invention. Thus, it is submitted that claims 17-21, 23-27 and 30-33 are in a condition suitable for allowance. Reconsideration of the claims and an early Notice of Allowance are earnestly solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: 11/15/05

By: Richard A. Gollhofer
Richard A. Gollhofer
Registration No. 31,106

1201 New York Ave, N.W., Suite 700
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501